

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 3:22-CV-00337-KDB-DCK**

**JADDEY FELIZ-CABRERA,**

**Plaintiff,**

**v.**

**MONROE BIOMEDICAL  
RESEARCH, LLC,**

**Defendant.**

**AGREED STIPULATION AND ORDER**

**THIS MATTER** is before the Court on the Parties' Joint Motion for Approval of Agreed Stipulation and Order Concerning Collective Action Lawsuit and Notice (Doc. No. 14). The Court will **GRANT** the motion as requested by the Parties.

Accordingly, the Parties hereby STIPULATE AND AGREE and it is ORDERED by the Court as follows:

1. The Parties stipulate that notice of this lawsuit will be provided to the following group of individuals:

All individuals who currently work, or have worked, for Defendant as a Clinical Research Coordinator and who were subject to Defendant's policy and practice of banking overtime hours during workweeks when their time records reflect more than 40 hours of work at any time within the preceding three (3) years from the date of filing the Complaint (hereinafter referred to as the "Members of the Collective").

2. The Court conditionally certifies this case as a collective action under 29 U.S.C. § 216(b) of the Fair Labor Standards Act (FLSA). The Parties are directed to within seven (7) days either jointly or separately file the proposed forms of the Notice of Fair Labor Standards

Act Collective Action Lawsuit (“Notice”) and Consent to Become Party Plaintiff (“Consent Form”) for the Court’s review and potential approval.

3. As soon as practicable, and in no event later than fourteen (14) days from the date Notice and Consent Forms are approved, Counsel for Defendant shall provide to Counsel for Plaintiff the names and last known addresses from its records of all Members of the Collective.

4. The Court orders that Counsel for Plaintiff shall mail the Notice and Consent Forms to all Members of the Collective within seven (7) days of the receipt of the names and addresses. Counsel for Plaintiff shall mail the Notice and Consent Forms to all Members of the Collective on a single date (the “Initial Mailing Date”).

5. Thirty (30) days after the Initial Mailing Date, Counsel for Plaintiff shall mail the Notice and Consent Forms a second time (the “Second Mailing Date”), but this second mailing shall only be directed to those Members of the Collective from whom Plaintiff’s counsel has not yet received a completed Consent Form.

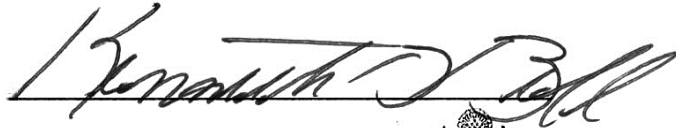
6. In addition to the Notice and Consent Forms, each envelope mailed to a Member of the Collective (whether mailed on the Initial Mailing Date or on the Second Mailing Date) shall enclose a postage prepaid return envelope for possible use by the Members of the Collective. Each of these postage prepaid return envelopes will be pre-addressed to Plaintiff’s counsel, using the address indicated on the Consent Form.

7. All Members of the Collective shall have forty-five (45) days from the Initial Mailing Date to “opt-in” to this lawsuit (the “Opt-In Period”) by returning a completed Consent Form to Plaintiff’s counsel, postmarked no later than forty-five (45) days from the Initial Mailing Date.

8. Counsel for Plaintiff shall supply copies to opposing counsel and file the executed Consent Forms with the Court within seven (7) days of receipt.

**SO ORDERED ADJUDGED AND DECREED.**

Signed: October 20, 2022

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell  
United States District Judge

